

FILED
AUG 12 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

PJH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Gabriel R. Reyes

Plaintiff,

vs.

Robert Horel, warden et al.

Defendant.

CV 08

3851

CASE NO. _____

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

(PR)

I, Gabriel Reyes, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

If the answer is "no," state the date of last employment and the amount of the gross and net salary

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. _____

1 and wages per month which you received. (If you are imprisoned, specify the last place of
2 employment prior to imprisonment.)

3 _____
4 _____
5 _____

6 2. Have you received, within the past twelve (12) months, any money from any of the following
7 sources:

- | | | | | |
|----|----|------------------------------------|----------|--|
| 8 | a. | Business, Profession or | Yes ____ | No <input checked="" type="checkbox"/> |
| 9 | | self employment | | |
| 10 | b. | Income from stocks, bonds, | Yes ____ | No <input checked="" type="checkbox"/> |
| 11 | | or royalties? | | |
| 12 | c. | Rent payments? | Yes ____ | No <input checked="" type="checkbox"/> |
| 13 | d. | Pensions, annuities, or | Yes ____ | No <input checked="" type="checkbox"/> |
| 14 | | life insurance payments? | | |
| 15 | e. | Federal or State welfare payments, | Yes ____ | No <input checked="" type="checkbox"/> |
| 16 | | Social Security or other govern- | | |
| 17 | | ment source? | | |

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
19 received from each.

20 _____
21 _____

22 3. Are you married? Yes ____ No ☒

23 Spouse's Full Name: _____

24 Spouse's Place of Employment: _____

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ _____ Net \$ _____

27 4. a. List amount you contribute to your spouse's support : \$ _____

28 b. List the persons other than your spouse who are dependent upon you for support

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. _____

and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.)

5. Do you own or are you buying a home?

Yes No ☒

Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

6. Do you own an automobile?

Yes ____ No ☒

Make _____ Year _____ Model _____

Is it financed? Yes ____ No ____ If so, Total due: \$ _____

Monthly Payment: \$ _____

7. Do you have a bank account? Yes ____ No ☒ (Do not include account numbers.)

Name(s) and address(es) of bank: _____

Present balance(s): \$ _____ *N/A*

Do you own any cash? Yes ____ No ____ Amount: \$ _____

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ____ No ____

8. What are your monthly expenses?

Rent: \$ _____ Utilities: _____

Food: \$ 45.00 Clothing: _____

Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

9. Do you have any other debts? (List current obligations, indicating amounts and to whom

they are payable. Do not include account numbers.)

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PAUPERIS, Case No. _____

10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ___ No ✓

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

8/3/07

DATE

Yab P

SIGNATURE OF APPLICANT

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. _____

Case Number: _____

CERTIFICATION OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Gabriel Ralph Reyes C88996 for the last six months at Pelican Bay State Prison where he is confined.

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$181.67 and the average balance in the prisoner's account each month for the most recent 6-month period was \$373.14. (20%= \$74.63)

Dated: _____

Authorized officer of the institution



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
ATTEST: 8-5-08
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY J. Kleppin
TRUST OFFICE

CALIFORNIA DEPARTMENT OF CORRECTIONS

PELICAN BAY STATE PRISON

INMATE TRUST ACCOUNTING SYSTEM

INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU AUG. 04, 2008

ACCOUNT NUMBER : C88996

BED/CELL NUMBER: DF05L 000000121L

ACCOUNT NAME : REYES, GABRIEL RALPH

ACCOUNT TYPE: I

PRIVILEGE GROUP: D

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
02/01/2008		BEGINNING BALANCE					153.60
02/04	FC05	DRAW-FAC 5	3365 D-4			45.00	108.60
02/07	W502	POSTAGE CHARG	3486			0.41	108.19
02/07	W502	POSTAGE CHARG	3486			0.41	107.78
02/07	W502	POSTAGE CHARG	3486			0.41	107.37
02/07	W502	POSTAGE CHARG	3486			0.41	106.96
02/07	W502	POSTAGE CHARG	3486			0.58	106.38
02/08	W415	CASH WITHDRAW	3490 CKREQ 283149776		44.00		62.38
02/14	W502	POSTAGE CHARG	3577			0.41	61.97
02/14	W502	POSTAGE CHARG	3577			2.46	59.51
02/20	W502	POSTAGE CHARG	3631			1.31	58.20
02/20	W502	POSTAGE CHARG	3631			1.14	57.06
02/21	W502	POSTAGE CHARG	3664			0.41	56.65
02/21	W502	POSTAGE CHARG	3664			1.14	55.51
02/21	W502	POSTAGE CHARG	3664			0.97	54.54
02/21	W502	POSTAGE CHARG	3664			0.97	53.57
02/21	W502	POSTAGE CHARG	3664			1.14	52.43
02/21	W502	POSTAGE CHARG	3664			0.41	52.02
02/21	W502	POSTAGE CHARG	3664			0.41	51.61
02/21	W502	POSTAGE CHARG	3664			0.41	51.20
03/03	FC05	DRAW-FAC 5	3812 D-4			45.00	6.20
03/04	D300	CASH DEPOSIT	3840 #171		100.00		106.20
03/04	D300	CASH DEPOSIT	3840 #171		50.00		156.20
03/05	W502	POSTAGE CHARG	3874			0.41	155.79
03/06	W502	POSTAGE CHARG	3920			0.41	155.38
03/06	W502	POSTAGE CHARG	3920			0.41	154.97
03/06	W502	POSTAGE CHARG	3920			0.41	154.56
03/07	W502	POSTAGE CHARG	3961			1.65	152.91
03/17	W415	CASH WITHDRAW	4063 CKREQ 283150145			35.00	117.91
03/21	D300	CASH DEPOSIT	4109 #184		100.00		217.91
03/25	W502	POSTAGE CHARG	4179			3.28	214.63
03/26	W512	LEGAL POSTAGE	4193			9.80	204.83
03/26	W512	LEGAL POSTAGE	4193			2.50	202.33
03/27	W502	POSTAGE CHARG	4207			0.41	201.92
03/27	W502	POSTAGE CHARG	4207			1.65	200.27
03/28	D300	CASH DEPOSIT	4222 #189		200.00		400.27
04/01	D340	EFT DEPOSIT	4250JP#372		100.00		500.27
04/02	D300	CASH DEPOSIT	4253 #191		50.00		550.27
04/02	W516	LEGAL COPY CH	4256			0.90	549.37
04/02	W516	LEGAL COPY CH	4256			37.60	511.77
04/02	FC05	DRAW-FAC 5	4283 D-5			45.00	466.77
04/03	W536	COPAY CHARGE	4314M04/02			5.00	461.77
04/07	W512	LEGAL POSTAGE	4419			1.48	460.29



THE WITHIN INSTRUMENT IS A CORRECT
 COPY OF THE TRUST ACCOUNT MAINTAINED
 BY THIS OFFICE.
 ATTEST: 8-5-08

CALIFORNIA DEPARTMENT OF CORRECTIONS

BY S. K. Koppin
 TRUST OFFICE

PELICAN BAY STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU AUG. 04, 2008

ACCT: C88996 ACCT NAME: REYES, GABRIEL RALPH ACCT TYPE: I

DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
04/10	D300	CASH DEPOSIT	4454 #196		50.00		510.29
04/15	W415	CASH WITHDRAW	4505 CKREQ 283150466			44.00	466.29
04/17	W502	POSTAGE CHARG	4554			0.41	465.88
04/17	W502	POSTAGE CHARG	4554			0.41	465.47
04/17	W502	POSTAGE CHARG	4554			0.41	465.06
04/17	W502	POSTAGE CHARG	4554			0.41	464.65
04/17	W502	POSTAGE CHARG	4554			0.41	464.24
04/17	W502	POSTAGE CHARG	4554			0.41	463.83
04/17	W502	POSTAGE CHARG	4554			0.41	463.42
04/18	W502	POSTAGE CHARG	4580			0.97	462.45
04/25	W512	LEGAL POSTAGE	4665			1.31	461.14
04/25	W512	LEGAL POSTAGE	4665			1.31	459.83
04/25	W512	LEGAL POSTAGE	4665			1.31	458.52
04/28	W516	LEGAL COPY CH	4683			6.90	451.62
04/30	D300	CASH DEPOSIT	4695 #210		50.00		501.62
05/02	FC05	DRAW-FAC 5	4778 D-5			45.00	456.62
05/02	W415	CASH WITHDRAW	4736 CKREQ 283150675			300.00	156.62
05/13	W502	POSTAGE CHARG	4938			1.31	155.31
05/14	W502	POSTAGE CHARG	4961			1.68	153.63
05/20	W512	LEGAL POSTAGE	5042			9.40	144.23
05/20	W512	LEGAL POSTAGE	5042			5.05	139.18
05/20	W502	POSTAGE CHARG	5054			0.42	138.76
05/20	W502	POSTAGE CHARG	5054			0.42	138.34
05/20	W502	POSTAGE CHARG	5054			0.42	137.92
05/21	W502	POSTAGE CHARG	5077			0.01	137.91
05/21	W516	LEGAL COPY CH	5080			62.45	75.46
05/22	W502	POSTAGE CHARG	5096			0.41	75.05
05/23	D340	EFT DEPOSIT	5121JP#453		100.00		175.05
05/28	D300	CASH DEPOSIT	5150 #228		50.00		225.05
05/28	W502	POSTAGE CHARG	5174			0.01	225.04
05/28	W502	POSTAGE CHARG	5174			0.01	225.03
06/02	D300	CASH DEPOSIT	5204C1CL08		90.00		315.03
06/02	W512	LEGAL POSTAGE	5220			0.42	314.61
06/03	FC05	DRAW-FAC 5	5249 D-5			45.00	269.61
06/04	W512	LEGAL POSTAGE	5268			0.42	269.19
06/04	W502	POSTAGE CHARG	5279			0.01	269.18
06/04	W502	POSTAGE CHARG	5279			0.01	269.17
06/04	W502	POSTAGE CHARG	5279			0.01	269.16
06/04	W502	POSTAGE CHARG	5279			0.01	269.15
06/04	W415	CASH WITHDRAW	5270 CKREQ 283150973			35.00	234.15
06/10	W502	POSTAGE CHARG	5409			1.00	233.15
06/10	W502	POSTAGE CHARG	5409			1.00	232.15
06/16	W516	LEGAL COPY CH	5477			1.80	230.35
06/17	W512	LEGAL POSTAGE	5506			1.00	229.35
06/17	W512	LEGAL POSTAGE	5506			1.00	228.35
06/18	W502	POSTAGE CHARG	5542			0.01	228.34
06/18	W502	POSTAGE CHARG	5542			0.01	228.33
06/18	W502	POSTAGE CHARG	5542			0.01	228.32
06/18	W502	POSTAGE CHARG	5542			0.01	228.31
06/19	W701	USE TAX	5557 SP20			1.44	226.87



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ATTEST: 8-5-08

CALIFORNIA DEPARTMENT OF CORRECTIONS

BY J. K. Lepson
TRUST OFFICE

PELICAN BAY STATE PRISON
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU AUG. 04, 2008

ACCT: C88996 ACCT NAME: REYES, GABRIEL RALPH ACCT TYPE: I

DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
06/19	W350	SPECIAL PURCH	5557 SP20	283151158		23.40	203.47
06/24	W512	LEGAL POSTAGE	5624			1.34	202.13
06/24	W512	LEGAL POSTAGE	5624			1.34	200.79
06/25	W502	POSTAGE CHARG	5650			0.42	200.37
06/25	W502	POSTAGE CHARG	5650			0.42	199.95
06/25	W502	POSTAGE CHARG	5650			0.42	199.53
06/26	W502	POSTAGE CHARG	5679			0.01	199.52
06/26	W502	POSTAGE CHARG	5679			0.01	199.51
06/26	W502	POSTAGE CHARG	5679			0.01	199.50
06/26	W502	POSTAGE CHARG	5679			0.01	199.49
06/26	W502	POSTAGE CHARG	5679			0.01	199.48
06/26	W502	POSTAGE CHARG	5679			0.42	199.06
06/26	W502	POSTAGE CHARG	5679			0.01	199.05
07/01	D300	CASH DEPOSIT	0001 #01		50.00		249.05
07/01	W415	CASH WITHDRAW	0004 CKREQ	283151265		31.00	218.05
07/02	D340	EFT DEPOSIT	0011JP#02		100.00		318.05
07/02	W516	LEGAL COPY CH	0010			4.00	314.05
07/08	W512	LEGAL POSTAGE	0099			1.00	313.05
07/08	FC05	DRAW-FAC 5	0123 DS			45.00	268.05
07/10	W502	POSTAGE CHARG	0205			0.42	267.63
07/10	W502	POSTAGE CHARG	0205			0.42	267.21
07/10	W502	POSTAGE CHARG	0205			1.00	266.21
07/10	W502	POSTAGE CHARG	0205			0.42	265.79
07/10	W502	POSTAGE CHARG	0205			0.42	265.37
07/10	W502	POSTAGE CHARG	0205			0.42	264.95
07/10	W502	POSTAGE CHARG	0205			0.42	264.53
07/11	W501	SHIPPING CHAR	0229			6.44	258.09
07/11	W517	WRAP/S	0229			0.50	257.59
07/14	W512	LEGAL POSTAGE	0237			2.19	255.40
07/14	W512	LEGAL POSTAGE	0237			1.00	254.40
07/14	W512	LEGAL POSTAGE	0237			1.17	253.23
07/14	W512	LEGAL POSTAGE	0237			1.17	252.06
07/14	W512	LEGAL POSTAGE	0237			1.17	250.89
07/14	W512	LEGAL POSTAGE	0237			1.17	249.72
07/22	W516	LEGAL COPY CH	0382			1.80	247.92
07/22	W516	LEGAL COPY CH	0382			5.40	242.52
07/22	W516	LEGAL COPY CH	0382			3.60	238.92
07/22	W512	LEGAL POSTAGE	0385			1.34	237.58
07/22	W512	LEGAL POSTAGE	0385			1.00	236.58
07/22	W512	LEGAL POSTAGE	0385			1.17	235.41
07/23	W502	POSTAGE CHARG	0397			0.42	234.99
07/23	W502	POSTAGE CHARG	0397			1.17	233.82
07/25	W502	POSTAGE CHARG	0431			0.42	233.40
07/25	W502	POSTAGE CHARG	0431			0.42	232.98
07/28	W701	USE TAX	0441 SP15			2.53	230.45
07/28	W516	LEGAL COPY CH	0446			1.40	229.05
07/28	W350	SPECIAL PURCH	0441 SP15	283151487		38.45	190.60
07/28	W512	LEGAL POSTAGE	0450			1.68	188.92
07/28	W512	LEGAL POSTAGE	0450			1.00	187.92
07/31	W502	POSTAGE CHARG	0521			0.42	187.50



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ATTEST: 8-5-08
 CALIFORNIA DEPARTMENT OF CORRECTIONS

BY J. Kleppin
 TRUST OFFICE

PELICAN BAY STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU AUG. 04, 2008

ACCT: C88996 ACCT NAME: REYES, GABRIEL RALPH ACCT TYPE: I

DATE	TRAN	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
07/31	W502		POSTAGE CHARG	0521			0.42	187.08
07/31	W502		POSTAGE CHARG	0521			0.42	186.66
07/31	W502		POSTAGE CHARG	0521			0.42	186.24
07/31	W502		POSTAGE CHARG	0521			0.42	185.82
07/31	W502		POSTAGE CHARG	0521			0.42	185.40
07/31	W502		POSTAGE CHARG	0521			0.42	184.98
07/31	W502		POSTAGE CHARG	0521			0.42	184.56
07/31	W502		POSTAGE CHARG	0521			0.42	184.14
07/31	W502		POSTAGE CHARG	0521			0.42	183.72
07/31	W502		POSTAGE CHARG	0521			0.42	183.30
07/31	W502		POSTAGE CHARG	0521			0.42	182.88
07/31	W502		POSTAGE CHARG	0521			0.42	182.46
07/31	W502		POSTAGE CHARG	0521			0.42	182.04
07/31	W502		POSTAGE CHARG	0521			0.42	181.62
07/31	W502		POSTAGE CHARG	0521			0.42	181.20
07/31	W502		POSTAGE CHARG	0521			0.42	180.78
07/31	W502		POSTAGE CHARG	0521			0.42	180.36
07/31	W502		POSTAGE CHARG	0521			1.51	178.85
08/01	W516		LEGAL COPY CH	0530			1.30	177.55
08/01	W516		LEGAL COPY CH	0530			1.10	176.45
08/01	W512		LEGAL POSTAGE	0532			1.17	175.28
08/01	W512		LEGAL POSTAGE	0532			1.17	174.11
08/04	W415		CASH WITHDRAW	0553	CKREQ 283151578		88.00	86.11
08/04	W502		POSTAGE CHARG	0552			0.42	85.69
08/04	W502		POSTAGE CHARG	0552			0.42	85.27
08/04	W502		POSTAGE CHARG	0552			0.42	84.85
08/04	W502		POSTAGE CHARG	0552			0.42	84.43

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
153.60	1,090.00	1,159.17	84.43	0.00	0.00



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BY J. Kleppin
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CURRENT
AVAILABLE
BALANCE

84.43